

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

MARK H. KAEDING,

Petitioner,

-vs-

WARDEN, Lebanon Correctional Institution,

Respondent.

:

Case No. 1:11-cv-121

:

District Judge Michael R. Barrett
Magistrate Judge Michael R. Merz

:

NOTICE TO PETITIONER

This habeas corpus case is before the Court on Petitioner's 45-page Motion for An Evidentiary Hearing, filed July 27, 2012 (Doc. No. 35). No documents were filed with that Motion. The Court reads the references to exhibits in the body of the Motion as exhibits attached to the Petition herein. The Petition has thirty-three pages of exhibits labeled from A to X. If Petitioner intends for the Court to examine other exhibits, either attached to filings already made or to be made in the future, the Court requires that Petitioner reference where any other such exhibits appear in the record of this Court, i.e., to what docketed paper they are attached. To assist Petitioner in that task, the Clerk shall furnish him with a copy of the docket sheet along with his copy of this Notice.

On June 13, 2012, this Court entered a Scheduling Order which required Petitioner to file a reply to the Supplemental Return of Writ not later than twenty days after the Supplemental Return was filed (Doc. No. 27). The Supplemental Return of Writ herein (Doc. No. 31) was filed on July

9, 2012, and served on Petitioner by ordinary mail on July 10, 2012. Petitioner's reply is accordingly required to be filed not later than August 2, 2012, allowing the extra three days after service by mail which is provided in Fed. R. Civ. P. 6.

July 30, 2012.

s/ *Michael R. Metz*
United States Magistrate Judge